

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:09cv423**

<b>JERRY ANDERSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>CALDWELL COUNTY SHERIFF'S</b>	)	
<b>OFFICE, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the court on request of the parties to reconsider the plaintiff's Motion for Leave to Designate and Call Additional Expert Witnesses (#64), the "Consented to Motion to Modify the Scheduling Order to Grant Defendants Additional Time in Which to Designate Expert Witnesses and to Extend Discovery Period" (#67), and the joint Response to the Court's January 21, 2011, Order (#73). The court commends the professionalism of all parties in resolving such procedural issue amicably.

**ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiff's Motion for Leave to Designate and Call Additional Expert Witnesses (#64) and the "Consented to Motion to Modify the Scheduling Order to Grant Defendants Additional Time in Which to Designate Expert Witnesses and to Extend Discovery Period" (#67) are **DENIED** without prejudice as amicably resolved and, with the approval and at the instruction of the district court the following amendments to the Pretrial Order are **ENTERED**:

1. Each side may designate up to eight expert witnesses.
2. Plaintiff will serve his amended expert designations on or before January 28, 2011.
3. Defendants will serve their expert designations on or before February 17, 2011.
4. The discovery deadline is enlarged up to and inclusive of June 7, 2011.
5. The motions deadline is enlarged up to and inclusive of July 7, 2011.
6. The ready date for trial is enlarged to the first term beginning on or after November 7, 2011.

**IT IS FURTHER ORDERED** that the hearing scheduled for January 28, 2011, is **CANCELLED**.

Signed: January 27, 2011

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

